

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re Namenda Direct Purchaser Antitrust
Litigation

Case No. 1:15-cv-07488-CM (RWL)

**FOREST’S NOTICE OF MOTION AND MOTION
IN LIMINE 2 TO EXCLUDE GENERAL STATISTICAL EVIDENCE
OF OUTCOMES IN UNRELATED PHARMACEUTICAL PATENT LITIGATIONS**

PLEASE TAKE NOTICE that, pursuant to Rules 401, 402, and 403 of the Federal Rules of Evidence, Defendants Actavis plc, Forest Laboratories, LLC, Forest Laboratories, Inc., and Forest Laboratories Holdings Ltd. (collectively “Forest”) respectfully move this Court *in limine* to preclude DPPs from introducing at trial any evidence regarding unrelated patent litigations, generalizations regarding the outcomes of these unrelated cases, or any purported statistical analyses of such litigation. This motion is based upon this Notice of Motion and Motion *in Limine*, the accompanying Memorandum in Support of Forest’s Motion *in Limine* 2 to Exclude General Statistical Evidence of Outcomes in Unrelated Pharmaceutical Patent Litigations, and the Declaration of Eric E. Lancaster and accompanying exhibits.

Dated: May 24, 2019
Palo Alto, California

Respectfully submitted,

WHITE & CASE_{LLP}

By: /s/ Eric E. Lancaster

Martin M. Toto

Heather K. McDevitt

John H. Chung

Michael E. Hamburger

William H. Bave, III

Kristen O’Shaughnessy

Kevin C. Adam

WHITE & CASE LLP

1221 Avenue of the Americas

New York, New York 10020

Telephone: (212) 819-8200

J. Mark Gidley
Christopher M. Curran
Eric Grannon
WHITE & CASE LLP
701 Thirteenth Street, NW
Washington, DC 20005
Telephone: (202) 626-3600

Heather M. Burke
Eric E. Lancaster
WHITE & CASE LLP
3000 El Camino Real
2 Palo Alto Square, Ste. 900
Palo Alto, CA 94306
Telephone: (650) 213-0300

**Counsel for Defendants Actavis plc,
Forest Laboratories, LLC, Forest
Laboratories, Inc., and Forest
Laboratories Holdings Ltd.**